

Crime and Politics: Can INTERPOL Stay Involved in Michael Misick's Case?

By Michelle A. Estlund on March 23, 2012

Former Turks and Caicos Premier Michael Misick is now wanted internationally for questioning on corruption allegations by officials in Turks and Caicos, as reported by Jacqueline Charles in the Miami Herald, [here](#). The investigation, which has already resulted in the arrest of other government officials, centers on the allegedly fraudulent distribution of government land. Mr. Misick has reportedly fled to an undisclosed country and is seeking political asylum from what he claims is political persecution.

At first glance, the superficial observer of all matters INTERPOL would dismiss the matter as being prohibited by INTERPOL's constitution. Article 3 requires that the Organization not "undertake any intervention or activities of a political, military, religious or racial character." Given that the allegations against Mr. Misick stem from his tenure in office, the question of INTERPOL's involvement should end there, shouldn't it?

Not so fast. The question of political motivation requires a look at all the circumstances involving the allegations, as well as a review of the political landscape and history of the requesting country. Additionally, the relationship between the subject (Mr. Misick) and the requesting country must be considered along with their respective activities. If the true overriding basis for the Red Notice is the underlying criminal charge, then a challenge to the Red Notice likely will not succeed.

Mr. Misick has also announced that he is seeking political asylum in an undisclosed country. More on the relationship between political asylum and politically motivated charges in the next post.

As always, thoughts and comments are welcomed.